

REMARKS

Claims 2-3 and 22-31 have been canceled. Claims 40-42 have been added. No new matter has been added. Claims 1, 4-21 and 40-42 are pending in this application.

Claims 1, 4-7, and 10-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over King et al., U.S. Patent No. 6,207,474 ("King") in view of Noda, U.S. Patent No. 6,132,226 ("Noda"). This rejection is respectfully traversed.

Claims 8 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over King in view of Noda, as applied to claim 1, and further in view of Ball, U.S. Patent No. 5,291,061 ("Ball"). This rejection is respectfully traversed.

Claims 13 and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over King in view of Noda, as applied to claims 1 and 10, and further in view of Fukui et al., U.S. Patent No. 6,100,594 ("Fukui"). This rejection is respectfully traversed.

Claims 15-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over King in view of Lo et al., U.S. Patent No. 6,321,976 ("Lo"), and in further view of Noda. This rejection is respectfully traversed.

Applicant respectfully submits that King is not a valid reference under 35 U.S.C. §103(a) pursuant to 35 U.S.C. §103(c). The subject matter of King qualifies as a prior art reference only under 35 U.S.C. §102(e). At the time the present invention was made and filed, the subject matter of King and the present invention were owned by or subject to an obligation of assignment to Micron Technology, Inc. Copies of the assignments of the subject matter of King and the present application to Micron Technology, Inc. is attached hereto. Therefore, pursuant to 35 U.S.C. §103(c), the subject matter of King cannot preclude the patentability of the present invention. For at least these reasons, all rejections are overcome.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: October 15, 2003

Respectfully submitted,

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